

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: COLUMBIA UNIVERSITY
PATENT LITIGATION

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MDL NO. 1592

PROTECTIVE ORDER

WOLF, D.J.

June 23, 2004

For the reasons described in court on June 22, 2004, it is hereby ORDERED that:

1. With the consent of the plaintiffs in all cases, the Trustees of Columbia University in the City of New York's Emergency Motion to Seal and Restrict Access to Confidential Information (Docket No. 9) is ALLOWED in part.

2. Pending further order of the court, distribution of any portions of the prosecution history of U.S. Patent Application No. 08/477,159 (the "'159 application"), and the information that prosecution history contains, shall be restricted to in-house counsel and outside counsel for the plaintiffs.

3. This Order does not apply to the '159 application as filed or any portions of the prosecution history sent by John B. White to Vasant Gandhi of Immunex Corporation on May 6, 2002.

4. Each plaintiff shall, by 5:00 p.m. on June 24, 2004, inform the court, in writing, of the individuals who are authorized to access the prosecution history of the '159 patent under this Order and stating that each such individual has been advised of the terms of this Order.

5. Any party filing a document with the court that contains information subject to this Protective Order shall file that document under seal with a redacted version for the public record.

6. Any violation of this Order may be deemed a criminal and/or civil contempt.

/s/ Mark L. Wolf
UNITED STATES DISTRICT JUDGE